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(b) if so, whether, under the recent Rural Electricity Extension Scheme, any amount has been allotted for extension of electricity to the Udayarpalayam area?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI:—“(a) The South Madras Electric Supply Corporation, Ltd., have offered to surrender the Udayarpalayam area to Government.

“(b) The question of Government taking up electricity extension schemes in the area will be examined if the area is taken over by Government.”

MR. SPEAKER:—“Questions are over.”

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—PRIVILEGE MOTION *RE* CIRCULATION OF DRAFT BILL [THE SOUTH KANARA CULTIVATING TENANTS PROTECTION (AMENDMENT) BILL, 1955] TO CERTAIN MEMBERS OF THE HOUSE.

9-30 a.m. MR. SPEAKER:—“The hon. Member, Sri Narayana Kurup, has given notice of a Privilege Motion which reads as follows:—

“On 15th February 1955 in the course of the discussion relating to the South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955, it was disclosed that a draft Bill prepared by the Government on tenancy legislation in South Kanara was circulated among only certain Members of the House and that a copy of that Bill was also received by the Hon. Member Sri T. C. Narayanan Nambiar, a reference to which was made in his speech. This discrimination in giving information about pending legislation is a gross breach of the privilege of the House as a whole and therefore the House resolves to refer the matter to the Committee of Privileges for investigation and report.”

I wish to know from the hon. Member who has revealed it?”

* SRI M. NARAYANA KURUP:—“Mr. Speaker, Sir, before I state my case, I may be permitted to quote one sentence from May's Parliamentary Practice, which runs as follows:—

“It may be stated generally that any act of omission which obstructs or impedes either House of Parliament in the performance of its function or which obstructs or impedes any Member or officer of such House in the discharge of his duty or which has a tendency directly or indirectly to produce such results may be treated even as contempt, even though there is no precedent of the offence.”

MR. SPEAKER:—“Only if it ‘impedes’.”

* SRI M. NARAYANA KURUP:—“It is on that that I am going to address the House. It is seen that the privileges are enjoyed by the House collectively and the hon. Members individually. I would further say that they are enjoyed by the hon. Members equally. Now the facts are these. As has been mentioned in the Privilege Motion itself, when the South Kanara Cultivating Tenants Protection Bill was being discussed, it was specifically mentioned by the hon. Member Sri Manjappa Shetty that a draft Bill (Interruption), I concede that it is not a draft of the Bill under consideration but a Bill intimately connected with the tenancy legislation of South Kanara—was circulated to him and

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to some of the other Members of this House. Sir, the hon. Member Sri Narayanan Nambiar also referred to it and said that he had got a copy of it."

MR. SPEAKER :—" Is it a printed Bill? "

* SRI M. NARAYANA KURUP :—" It is immaterial whether it is a printed Bill or a typed Bill.

" He also referred to it and said that he had received a copy of it, and he condemned the Government as reactionary, basing his argument on some of the provisions of the Bill which he had got.

" Sir, the obstruction in the discharge of the duty of a Member can be done in many ways. It is well-known that the duty of a Member is not confined to his functions inside this House only but extends also to the public outside and to his constituency. Now, take the effect of the facts revealed before this House. I wish further to add that in answering interpellations on the South Kanara tenancy legislation on a previous occasion, it was also categorically brought to light before this House that certain Members from South Kanara were given copies of a draft Bill just before the District Board elections in October. Now, what will be the result of such a revelation of the prospective legislation by the Government to certain Members of the House only? I submit that the result is that M.L.As. are classified into two categories—one set of M.L.As. favoured by the Government and who are in their good books and the other set of M.L.As. who are in the black list. The former are given confidential or other information about the coming legislation beforehand. To-day it may be tenancy legislation proposals and tomorrow it may be Budget proposals. Sir, the result is that a certain set of M.L.As. in the discharge of their duties both inside and outside this House, are given certain special privileges or at least that is the result of it. People will begin to think that M.L.As. of a particular category who find favour with the Government alone are hereafter to be reckoned with because the others cannot discharge their duties in view of this conduct of the Government. Sir, it really involves a general principle, apart from the particular question whether the Government or the Cabinet, which is responsible to this House as a whole, can divulge a particular information to certain Members only. I am not here concerned with the question whether it was a completed draft Bill—I have borrowed the expression from the hon. Members who used it—or whether it was signed by the Secretary or the Hon. Minister for Land Revenue. But the point is that there is evidence that certain proposals that are to come up before this House for discussion sometime later have been released to certain Members beforehand. I submit that is a very important question and there may not be any precedent for this because no Government ordinarily commit such

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improper and indiscreet acts. Simply because there is no precedent, it does not mean that there is no breach of privilege as I had quoted from May's Parliamentary Practice"

MR. SPEAKER :—" The hon. Member has misquoted it."

* SRI M. NARAYANA KURUP :—" I had quoted the relevant passage verbatim."

THE HON. SRI C. SUBRAMANIAM :—" But it is not relevant here."

* SRI M. NARAYANA KURUP :—" Therefore, the House has to consider, apart from legal technicalities—whether the Members of this House can discharge their duties when only a few Members have been consulted on a matter of this kind. I can understand the line of argument if it is a matter of consultation. In the case of the Malabar Tenancy legislation, all the Members from Malabar were invited for an informal consultation though there was no Bill as such to consider. Here, it was not the case. Of course, I know that certain Members from South Kanara who do not belong to"

THE HON. SRI C. SUBRAMANIAM :—" The hon. Member has already referred to it and he need not elaborate on it."

* SRI M. NARAYANA KURUP :—" Of course, it may be stated that certain Members who do not belong to the ruling Party were not called for consultation or were not given copies of the Bill. But that argument cannot hold good because the cumulative effect and the result is that certain Members are at a great handicap in the discharge of their duties to the electorate and in this House. We know also how this Bill was even used as a lever for propaganda purposes in the recent District Board elections by those persons who were given advance information about it. As all the Members are not given equal privilege in this respect, it is clearly a matter of privilege."

MR. SPEAKER :—" Since the name of the hon. Member Sri Manjaya Shetty has been dragged in in this discussion, he may speak a few words."

* SRI M. NARAYANA KURUP :—" I did not drag him. I only"

SRI T. C. NARAYANAN NAMBIAR :—" My name was also dragged in in the privilege motion given notice of by the hon. Member Sri Narayana Kurup, and I want to say a few words on the motion before the House."

MR. SPEAKER :—" I will certainly allow the hon. Member to speak on it."

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* SRI Y. MANJAYA SHETTY :—“ Sir, it is true that I was one of those who participated in the discussion relating to the South Kanara Cultivating Tenants Protection (Amendment) Bill, 1955, on 15th February 1955. But I am sorry to state that the hon. Member Sri Kurup, an experienced parliamentarian, has made certain incorrect statement on the floor of this House. In the first place, he stated that I, in the course of that discussion, stated that a draft Bill for South Kanara had been circulated among the Members coming from South Kanara. But I may point out that it is an incorrect statement. What I had stated was, no doubt, in furtherance of the assurance a Bill was drafted and it was expected that it would be introduced in December last but, for reasons best known to the Government, the introduction of the bill was delayed. Except what I have just now read out I have not said anything more with regard to the circulation of the Bill or otherwise. But, I may say, Sir, that I have based these arguments on the strength of the correspondence that has exchanged between myself and the Hon. the Chief Minister of this State. The House is aware that the legislators coming from this district are very anxious to have a tenancy legislation and they have been agitating for the same on the floor of this House. The Government were also very anxious to bring in such a legislation and time and again they have assured the hon. Members coming from that district that a legislation was being prepared or drafted and that it would be introduced as early as possible.

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“ Even when the Hon. Sri K. Kamaraj Nadar took charge of the office of Chief Minister, the Congress Members coming from South Kanara waited in a deputation on him and requested him as early as August 1954 to bring in such a tenancy legislation and he promised to do so.”

MR. SPEAKER :—“ The point is, has the Bill been circulated? ”

SRI Y. MANJAYA SHETTY :—“ Sir, I will come to that point.”

* THE HON. SRI C. SUBRAMANIAM :—“ Sir, first of all, there seems to be a misunderstanding that there was a Bill and that Bill was circulated. No doubt there were certain proposals with regard to a certain legislation but they by themselves could not become a Bill. A Bill has got a technical meaning and when there is actually a Bill the hon. Members of this House are entitled to certain privileges. They are entitled to know everything about that Bill and they are also entitled to know whatever other information is available. But, at the stage of consideration of the various proposals, it is open to the Government to consult whom they like and in whom they have got confidence. All other hon. Members cannot say that they should also be consulted by the Government and perhaps be misled by the advice of certain hon.

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Members. Therefore, at this stage when we have to consider proposals only we are entitled to consult anybody whom we like and in whom we have confidence. This is certainly not a matter of privilege but where it relates to certain matters pending in the Legislature the hon. Members have no doubt certain privileges. Even then where we have got to consult our party with regard to certain legislative proposals, hon. Members cannot say that the other parties also should be called in. There is also no question of privilege here. Our privileges are with reference to the proceedings within the House and also with reference to certain other things. It is a completely misconceived motion which the hon. Member Sri M. Narayana Kurup has brought forward and this is not the first instance that he is doing so. I would therefore respectfully submit that there is no question of privilege involved here and as a Government we are entitled to consult anybody with regard to any proposals which we want to formulate."

MR. SPEAKER :—" The hon. Member Sri Y. Manjaya Shetty can continue his speech."

* SRI Y. MANJAYA SHETTY :—" Sir, the Hon. the Chief Minister assured us that a Bill would be introduced as early as possible."

MR. SPEAKER :—" The point is whether the Bill was circulated."

* SRI Y. MANJAYA SHETTY :—" The hon. Member Sri M. Narayana Kurup said that only the Congress Members of the South Kanara district have been consulted by the Government or by the concerned Minister. This is an incorrect statement."

SRI M. NARAYANA KURUP :—" Sir, I am being misrepresented."

* SRI Y. MANJAYA SHETTY :—" Sir, the hon. Member has misrepresented me also."

MR. SPEAKER :—" Order, order."

SRI M. NARAYANA KURUP :—" Sir, the hon. Member Sri Manjaya Shetty said that I stated that the Bill was circulated to Congress Members coming from South Kanara only. I never used the words 'Congress Members' and I only said 'a section of Members from the South Kanara district'."

* SRI Y. MANJAYA SHETTY :—" Sir, the hon. Member Sri M. Narayana Kurup has stated that only the Congress Members coming from South Kanara have been informally consulted. This is also an incorrect statement and I know it for certain. An informal meeting was held in the chamber of the Hon. the Minister for Public Health at the instance of the then Chief Minister, Sri C. Rajagopalachari. The Hon. the Minister for Revenue and

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the Secretary to Government, Law Department, were also present. The hon. Member Sri S. S. Kolkebal, the Praja Socialist Party Member coming from South Kanara, also participated in this informal discussion and gave his valuable advice. We also wanted to invite the hon. Member Sri M. Narayana Nambiar, another Praja Socialist Party Member representing this district in this House but because he was not available then, we could not invite him. It is really a pity, Sir, that without verifying all these things, such incorrect statements are made in this House and it would be better if the privilege motion is withdrawn." (Laughter.)

* SRI T. C. NARAYANAN NAMBIAR :—" Mr. Speaker, Sir, I am surprised at the presumption of the hon. Member, Sri M. Narayana Kurup that the draft Bill has been given to me. Sir, I belong to the Communist Party and even through the Praja Socialist Party and hon. Members like Dr. K. B. Menon are invited and consulted on issues in which Malabar M.L.A.s are interested and copies are given prior to their being placed on the table of the House, we never complained."

MR. SPEAKER :—" This is another charge that the hon. Member is making. No such discrimination is being made."

* SRI T. C. NARAYANAN NAMBIAR :—" Sir, I am not making any charge. The point is, I was neither given a copy of the draft Bill in question nor consulted. In this connection, I would like to say that I never mentioned that Government had given me a copy of the draft bill. I do not know why the hon. Member Sri M. Narayana Kurup wanted to say that I stated in my speech that a Bill had been drafted by the Government and a copy was given to me. I think hon. Members will also agree with me when I say that, being in the Opposition and also belonging to the Communist Party, the Government will not invite me or any other person in my party, for as far as South Kanara is concerned, there is no Communist Party Member representing that district in this House."

MR. SPEAKER :—" Let not the hon. Member question the motives of the Government."

* SRI T. C. NARAYANAN NAMBIAR :—" I do not wish to attribute any motive, Sir, but I said so because the hon. Member Sri M. Narayana Kurup dragged in my name and made it appear that the Congress Government consults the Communist Party Members and not the Members belonging to the Praja Socialist Party."

(Dr. K. B. Menon rose.)

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I do not want that there should be a chain reaction from incident to incident. I

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would request the hon. Member Dr. K. B. Menon to confine himself only to the point at issue, namely, the reference which the hon. Member Sri T. C. Narayanan Nambiar was pleased to make and not to any other matter."

* DR. K. B. MENON :—" Sir, since my name has been dragged in"

* THE HON. SRI C. SUBRAMANIAM :—" Let not the hon. Member drag in others."

* DR. K. B. MENON :—" Sir, I do not want to drag in anybody else. I am surprised at the self-pity expressed by the hon. Member Sri T. C. Narayanan Nambiar for himself and for the Communist Party. I do not know why he dragged in my name at all and I also do not know whether I enjoy any privilege in this House apart from the privileges that are generally accorded to other hon. Members by the Hon. the Ministers of the Government."

* SRI S. SWAYAMPRAKASAM :—" Mr. Speaker, Sir, I am afraid that we have really drifted far away from the point at issue. The point that was raised by the hon. Member Sri M. Narayana Kurup is rather important when we consider it objectively. Before I wanted to speak I wanted to find out what was it that really happened from the point of view of the Government, namely, whether it was a fact that a certain draft Bill or any proposal was sent or whether certain hon. Members were consulted. But before the matter could be cleared, I think the Hon. the Leader of the House, in my view, has complicated the issue by saying that he has got the privilege of consulting certain hon. Members of the House. In my view, this has really complicated the issue. Before I come to this issue raised by the Hon. the Leader of the House, what the hon. Member Sri M. Narayana Kurup has raised is that a certain draft Bill has been circulated"

MR. SPEAKER :—" By the Government."

* SRI S. SWAYAMPRAKASAM :—" Yes, Sir, but we do not know whether the Government accept it or not and we also do not know what is the attitude of the Government."

MR. SPEAKER :—" First of all, what the hon. Member Sri M. Narayana Kurup said is this that it was revealed to this House by the hon. Member Sri Y. Manjaya Shetty that there was a draft Bill. The hon. Member Sri Y. Manjaya Shetty denies that fact. Also, he further stated that hon. Member Sri T. C. Narayanan Nambiar revealed that he secured a copy of that draft Bill. He also denies that fact."

SRI S. SWAYAMPRAKASAM :—" From the speech of the hon. Member Sri Manjaya Shetty, it is clear that a Bill was being drafted but had not been introduced in the House. Everybody

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agrees with the fact that that there was a cry from the people of South Kanara district on the need for a Bill and that it had not been brought. But the question to be considered is this. The Hon. Leader of the House says that he has got the privilege of taking into confidence certain sections of the House about the proposals that have to be discussed by this House. That, Sir, raises a very important issue."

MR. SPEAKER :—" Let us come to the point whether there is any privilege involved in this matter or not and let us not jump from one point to another."

* SRI S. SWAYAMPRAKASAM :—" The Members say that they have not received a copy of the Bill"

MR. SPEAKER :—" Then there is an end of the matter."

SRI S. SWAYAMPRAKASAM :—" Then, there is a further point"

MR. SPEAKER :—" That is not before the House."

* SRI S. PANCHAKSHARAM :—" Mr. Speaker, I have been able to follow very carefully the point Mr. Kurup wished to make over the privilege issue. He made, though unwittingly I suppose, a remark in passing that Members on the Government side are given a preferential treatment. I can at once say that it is not true. I would like to mention the feeling that is prevalent in the minds of some of the Members here on the Government side. They feel that Members sitting in opposition to the Government, at any rate, those who are sitting in front of the Treasury Benches, by exchange of confidences with the Ministers on the Treasury Benches seem to be in a position of greater active confidence of the Ministers than we ourselves, unfortunately, are (cheers). I am not voicing this feeling as a grievance. But, Mr. Speaker, that is the prevalent feeling."

* SRI T. C. NARAYANAN NAMBIAR :—" Sir, I do not wish to take up the time of the House except to say a few words by way of personal explanation. Dr. K. B. Menon, my respected Friend, has stated that I have unnecessarily dragged his name. I did not consciously or with any purpose make an insinuation against him when I referred to him in my remarks. Yesterday, the Hon. Minister for Finance, in his answer to a question with regard to the Koothali Estate, stated that Dr. K. B. Menon was aware of the substance of the Government order. At that time, hon. Member Sri S. Ramalingam raised a point of order whether this House should not know it. Sometimes Dr. K. B. Menon seemed to know things which we did not know, and it was only in that context I stated it."

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* SRI M. NARAYANA KURUP :—“ Mr. Speaker, human memory, of course, is very short. But I never thought that it was so short as this. I could have caused the proceedings of that Bill to be circulated but I did not intend to do so. Sir, I borrowed the very expression ‘draft Bill’ used by hon. Members Sri Manjaya Shetty and Sri T. C. Narayana Nambiar. I did not mean that the Government sent them a copy of the draft Bill What he said was, ‘I have got with me a copy of the Bill’.”

SRI T. C. NARAYANAN NAMBIAR :—“ I did not say like that.”

* SRI M. NARAYANA KURUP :—“ He may deny that and I do not wish to labour on that point. The whole House and the Press know it. Apart from that, the question is that the draft Bill has turned out now to be a tentative proposal. Mr. Manjaya Shetty gave a resume of what had happened in the matter. But the Government, even at this stage, have not come forward to enlighten this House on what exactly has happened.

“ Apart from that, the Hon. Leader of the House made certain uncharitable remarks against me. It may be that we are inexperienced in parliamentary life and that we are probably over-exuberant in the matter of our privileges. But I thought that an experienced parliamentarian like the Hon. Leader of the House would not make such remarks against me. He said that it was not for the first time I was bringing forward such motions. If I remember correct, I had brought only one privilege motion in the past and it does not entitle him to make such a remark. We expect from experienced parliamentarians that when we go wrong we will be given a lead, that they will show us an attitude of fraternal affection and direct us in the proper path. But this is not the way to do that. Of course, we expect many things from the Hon. Leader of the House. Though we are here in the Opposition, we have to work together with those on the other side and all the Members should be collectively proud of the rights and privileges of the House.

“ Sir, I request a ruling on the point raised by me.”

MR. SPEAKER :—“ From what I have heard now, it appears that the facts given by the hon. Member are not correct because the hon. Member Sri T. C. Narayanan Nambiar denies that he has ever said that a draft Bill had been circulated. Apart from that, the hon. Member has dragged the name of Sri Manjaya Shetty and stated ‘that Sri Manjaya Shetty said that a draft Bill had been circulated to the Members of the district of South Kanara. That also is not a fact. The hon. Member also said that his work as a legislator had been impeded. I say nobody’s work has been impeded. No *prima facie* has been made out.”

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* SRI S. SWAYAMPRAKASAM :—“ Suppose, Sir, the point had been raised that a Bill had been circulated to some Members. Is it enough, Sir, if only one Member denies the fact.”

MR. SPEAKER :—“ Sri Manjaya Shetty showed from the official report that he had not stated so.”

* SRI S. SWAYAMPRAKASAM :—“ Because he made a reference to the particular Bill in question, we had an opportunity to refer to his name. But suppose the Bill had been circulated to four Members and only one Member had the opportunity to deny the fact and the other Members had not the occasion to refer to it. In such a situation, will it not be better for the Government to state the correct position? ”

MR. SPEAKER :—“ On behalf of the Government, the Leader of the House has spoken.”

* SRI S. SWAYAMPRAKASAM :—“ Suppose, Sir, we have got certain proposals . . . ”

MR. SPEAKER :—“ Let us not go into hypothetical proposals. On the facts of the case, I have given my ruling.”

III.—MOTION UNDER RULE 40 OF THE MADRAS ASSEMBLY RULES
RE STRIKE OF THE WORKERS OF THE BRINDAVAN PROPERTIES, LIMITED, WELLINGTON; COONOOR.

SRI M. KALYANASUNDARAM :—“ Sir, I will read the subject-matter of the motion I have given notice of—

“ The workers of the Brindavan Properties, Limited, Wellington, Coonoor, are on stay-in-strike from 17th February 1955 since the demand of the workers for one month's bonus for 1953-54 has been refused even though the same has been recommended by the conciliation officer. The Government also have failed to intervene in time to settle the dispute and to avert the strike even though sufficient notice was given.”

என்று சொல்லப்படுகிறது. பிரந்தாவனம் பிரபர்ட்டீஸ் என்பது ஒரு தேயிலைத் தயாரிக்கும் கம்பெனி. இதில் 300 தொழிலாளர்கள் வேலைசெய்கிறார்கள். இது வெல்லிங்டனில் இருக்கிறது. 1953-54-ம் வருஷத்தில் ஒரு மாத போனஸ் சமரச அதிகாரி சிபார்சு செய்திருந்தும் போனஸ் கொடுக்கப்படவில்லை. அவர்களுடைய குறைகளை Stay-in-strike மூலமாக மிக ஒற்றுமையாக நடத்தியிருக்கிறார்கள். கம்பெனியும் விட்டு கொடுக்கவில்லை. முதலிலேயே அட்ஜூடிகேஷனுக்கு விட்டிருந்தால் இந்த ஸ்ட்ரைக் வந்திருக்காது. இப்பொழுது எந்த நிலைமையில் இருக்கிறது என்று அறியவிரும்புகிறேன்.

“ Sir, I like to call the attention of the Minister to a matter of urgent public importance, viz., the workers of the Brindavan Properties, Limited, Wellington, Coonoor, are on stay-in-strike from 17th January 1955 since the demand of the workers for one month's bonus for 1953-54 has been refused even though the same has been recommended by the Conciliation Officer. The Government also have failed to intervene in time to settle the dispute and to avert the strike even though sufficient notice was given.”